22586. Misbranding of elixir buchu and juniper compound. U. S. v. Savoy Drug & Chemical Co. Plea of guilty. Fine, $75. (F. & D. no. 30324. Sample no. 2669-A.)

Analysis of a sample of the drug product involved in this case showed that it contained less alcohol than declared on the label.

On February 21, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Savoy Drug & Chemical Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 23, 1932, from the State of Illinois into the State of Minnesota, of a quantity of elixir buchu and juniper compound which was misbranded. The article was labeled in part: (Bottle) "Elixir Buchu and Juniper Compound Alcohol 20 Per Cent Montgomery Ward & Co., Distributors."

It was alleged in the information that the article was misbranded in that the statement "Alcohol 20 per cent", borne on the label, was false and misleading, since the article contained not more than 9.40 percent of alcohol. Misbranding was alleged for the further reason that the article contained alcohol and the label on the package failed to bear a statement of the quantity and proportion of alcohol contained therein.

On May 17, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $75.

M. L. WILSON, *Acting Secretary of Agriculture.*

22587. Adulteration of tincture cinchona, powdered extract colchicum root, fluidextract colchicum root, fluidextract golden seal (Hydrastis canadensis), tincture stramonium, powdered extract stramonium leaves, powdered extract belladonna leaves, fluidextract kola nut, fluidextract guarana and fluidextract stramonium leaves. U. S. v. Allaire, Woodward & Co. Plea of guilty. Fine, $350 and costs. (F. & D. no. 30335. Sample nos. 15503-A, 15505-A, 15506-A, 15508-A, 15510-A, 15511-A, 15517-A, 15519-A, 15521-A, 15522-A.)

This case was based on an interstate shipment of various drugs sold under names recognized in the United States Pharmacopoeia or the National Formulary which failed to conform to the requirements of the said authorities. Certain of the products contained a smaller percentage of alkaloids than declared on the labels.

On February 26, 1934, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Allaire, Woodward & Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 23, 1932, from the State of Illinois into the State of Ohio of quantities of various drugs which were adulterated. The articles were labeled in part: "Tincture Cinchona U. S. P."; "U. S. P. 10th Powdered Extract Colchicum Root"; "Fl. Ext. Colchicum Root * * * N. F. 5th"; "Fluid Extract Golden Seal, U. S. P. Hydrastis Canadensis"; "Tincture Stramonium, U. S. P."; "Powdered Extract Stramonium Leaves U. S. P. 10th"; "Powdered Extract Belladonna Leaves U. S. P. Standard 1.25% Alkaloids"; "Fl. Ext. Kola Nut * * * N. F. 5th"; "Fluid Extract Guarana * * * U. S. P. 10th"; "Fluid Extract Stramonium Leaves * * * N. F. Standard 0.25% Alkaloids"; "Allaire Woodward and Company, Peoria, Ill."

The information charged adulteration of certain of the products in that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the pharmacopoeia official at the time of investigation in the following respects:

The tincture of cinchona yielded not more than 0.621 g of the alkaloids of cinchona per 100 cc, whereas the pharmacopoeia provides that tincture of cinchona shall yield not less than 0.8 g of the alkaloids of cinchona per 100 cc.

The powdered extract colchicum root yielded not more than 0.87 percent of colchicine, whereas the pharmacopoeia provides that powdered extract colchicum root shall yield not less than 1.25 percent of colchicine.

The fluidextract golden seal *Hydrastis canadensis* yielded not more than 1.266 g of the ether-soluble alkaloids of hydrastis per 100 cc, whereas the pharmacopoeia provides that fluidextract hydrastis yield not less than 1.8 g of ether-soluble alkaloids of hydrastis per 100 cc.

The tincture stramonium yielded in the three bottles examined 0.0182 g, 0.002 g, and 0.0064 g, respectively, of alkaloids of stramonium per 100 cc; whereas the pharmacopoeia provides that tincture of stramonium yield from each 100 cc not less than 0.0225 g of alkaloids of stramonium.

The powdered extract stramonium leaves yielded not more than 0.746 percent of the alkaloids of stramonium, whereas the pharmacopoeia provides that powdered extract of stramonium leaves yield not less than 0.9 percent of the alkaloids of stramonium.

The powdered extract belladonna leaves yielded not more than 0.98 percent of the alkaloids of belladonna leaves; whereas the pharmacopoeia provides that powdered extract of belladonna leaves yield not less than 1.18 percent of the alkaloids of belladonna leaves; and the standard of strength, quality, and purity of the articles was not declared on the containers thereof.

Adulteration was charged against the remaining products in that they were sold under names recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the tests laid down in said formulary official at the time of the investigation in the following respects:

The fluidextract colchicum root yielded not more than 0.182 g of colchicine per 100 cc, whereas the formulary provides that fluidextract of colchicum root yield not less than 0.31 g of colchicine per 100 cc.

The fluidextract kola nut yielded not more than 0.79 g of caffeine per 100 cc, whereas the formulary provides that fluidextract of kola nut yield not less than 0.85 g of caffeine per 100 cc.

The fluidextract guarana yielded not more than 2.096 g of caffeine per 100 cc, whereas the formulary provides that fluidextract of guarana yield not less than 3.6 g of caffeine per 100 cc.

The fluidextract stramonium leaves yielded not more than 0.2053 g of the alkaloids of stramonium per 100 cc, whereas the formulary provides that fluidextract of stramonium leaves yield not less than 0.22 g of the alkaloids of stramonium per 100 cc.

And the standard of strength, quality, and purity of the articles was not declared on the containers thereof.

Adulteration of all products, with the exception of the fluidextract of guarana, was alleged for the further reason that their strength and purity fell below the professed standard and quality under which they were sold in that they were represented to be products which conformed to the United States Pharmacopoeia or the National Formulary, whereas they were not.

Adulteration of the powdered extract belladonna leaves and the fluidextract stramonium leaves was alleged for the further reason that the former was represented to contain 1.25 percent of alkaloids, whereas it yielded not more than 0.98 percent of alkaloids; and the latter was represented to contain 0.25 percent of alkaloids, whereas it contained a less amount.

On May 11, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $350 and costs.

M. L. WILSON. *Acting Secretary of Agriculture.*

22588. Misbranding of Dr. Platt's Rinex Prescription. U. S. v. 1,044 Large and 360 Small Packages of Dr. Platt's Rinex Prescription. Default decree of condemnation, forfeiture, and destruction. F. & D. no. 30867. Sample no. 49458–A.)

Examination of the drug preparation in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The labeling was further objectionable since the article was represented to be harmless, whereas it contained drugs that may cause harm if taken in overdosage. The acetphenetidin present in the article was not properly declared.

On August 9, 1933, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,044 large and 360 small packages of Dr. Platt's Rinex Prescription at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about September 20, 1932, and June 12, 1933, by the Rinex Laboratories, from Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.